

THIRTY-THIRD DAY

(Tuesday, March 7, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. Homer Leonard.

The roll of the House was called, and the following Members were present:

Allen	Hale
Allison	Hamilton
Alsup	Hankamer
Bailey	Hardeman
Baker	Hardin
of Fort Bend	Harp
Baker of Grayson	Harper
Bell	Harrell of Bastrop
Blankenship	Harrell of Lamar
Boyd	Harris
Boyer	Hartzog
Bradbury	Heflin
Bradford	Holland
Bray	Howard
Bridgers	Howington
Broadfoot	Hull
Brown of Cherokee	Hunt
Brown	Isaacks
of Nacogdoches	Johnson of Ellis
Bundy	Johnson of Tarrant
Burkett	Kennedy
Burney	Kern
Cauthorn	Kerr
Celaya	Kersey
Chambers	Kinard
Clark	King
Cleveland	Langdon
Cockrell	Lehman
Coleman	Leonard
Colquitt	Leyendecker
Colson, Mrs.	Lock
Cornett	Loggins
Corry	London
Crossley	Mays
Daniel	McAlister
Davis of Jasper	McDaniel
Davis of Upshur	McDonald
Derden	McFarland
Dickison	McMurry
Dickson	McNamara
Donaghey	Mohrmann
Dowell	Monkhouse
Dwyer	Montgomery
Faulkner	Morris
Felty	Newell
Ferguson	Nicholson
Fielden	Oliver
Fuchs	Olsen
Galbreath	Pace
Gilmer	Petsch
Goodman	Pevehouse
Gordon, Mrs.	Piner

Pope	Stoll
Ragsdale	Talbert
Reader of Bexar	Tarwater
Reader of Erath	Taylor
Reaves	Tennant
Reed	Thornberry
Rhodes	Thornton
Riviere	Turner
Roach	Vale
Roberts	Vint
Robinson	Voigt
Russell	Waggoner
Schuenemann	Weldon
Segrist	Wells
Shell	Westbrook
Skiles	White
Smith of Frio	Wilson
Smith of Hopkins	Winfree
Smith	Wood
of Matagorda	Worley
Spencer	Wright
Stinson	

Absent—Excused

Anderson	Keith
Bond	Little
Dean	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, we pray Thy help today, for in ourselves we feel incapable of the best service except as Thou shalt reveal right paths unto us. Grant us large vision and a spirit of helpful cooperation all along the way. In Jesus' name. Amen."

COMMUNICATION FROM HON. R. EMMETT MORSE

The Chair, laid before the House, and had read, the following communication from Hon. R. Emmett Morse: E. R. Lindley, Chief Clerk, House of Representatives.

During my absence from the House of Representatives, I hereby designate the Hon. Homer Leonard to preside in my absence.

R. EMMETT MORSE.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Dean for today, on motion of Mr. Monkhouse.

Mr. Little for today, on motion of Mr. Smith of Frio.

Mr. Anderson for today, on motion of Mr. Reader of Bexar.

The following Members were granted leaves of absence on account of illness:

Mr. Keith for today, on motion of Mr. Bell.

Mr. Bond for today, on motion of Mr. Waggoner.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Hale:

H. B. No. 829, A bill to be entitled "An Act extending the validating provisions of Articles 961 and 961a of the Revised Civil Statutes, 1925, by the addition of Article 961b; reenacting the provisions of Articles 961 and 961a, and giving said cities, towns or villages all the powers heretofore granted to them under Title 28; validating all proceedings heretofore had by the governing bodies of all cities and towns in counties having a population of more than 46,100 and less than 46,200, according to the last preceding Federal Census, in the issuance and sale of obligations used in financing any project for which loan or grant has been made or applied for to the United States through the Federal Emergency Administrator of Public Works or any agency, department, or division of the government of the United States; validating all tax levies to be used in the refunding of said obligations; exempting all pending litigation, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Davis of Jasper:

H. B. No. 830, A bill to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by County Line Independent School Districts, partly situated in three (3) counties, the supervision of said school being located in counties having a population not less than seventeen thousand (17,000) nor more than seventeen thousand, five hundred (17,500) as shown by the last preceding Federal Census, not in excess of a limit now provided by law. Such levies validated are the

same as are now on record in the Auditor's Division of the State Department of Education. Such levies and assessments are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action, and because of the failure of the governing body of such districts to appoint the proper and statutory Board of Equalization; and which are insufficient and void, or unenforceable on account of technical irregularities in the manner of preparing the books and reports of assessors assessing such property; and all equalizations of said valuations of such property for taxation purposes made by the Boards of Equalization acting for any such school districts, which are irregular or insufficient because the reports of such equalizations were adopted and accepted orally, or by other informal action; and the acts of making such equalization were made orally or informally, or in incomplete form; providing this Act shall not affect suits pending at the time same becomes effective; and further providing that this Act shall not validate any valuation placed upon property by any Board of Equalization or any tax assessor where such property has been valued in excess of its reasonable cash market value, or where such property has been discriminated against as to value or placed upon the rolls at a higher value than property of like kind and character, or at a greater percentage of its value than other property assessed for taxation; repealing all laws and parts of laws in conflict with this Act and especially repealing House Bill No. 209, Acts of the Forty-sixth Legislature, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Smith of Hopkins:

H. B. No. 835, A bill to be entitled "An Act to amend Subsection 8 of Article 199 of the Revised Civil Statutes, and providing an effective date."

Referred to the Committee on Judicial Districts.

Mr. Heflin asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 831.

There was no objection offered.

The Chair then laid the bill before the House, it was read first time, and

referred to the appropriate committee, as follows:

By Mr. Heflin:

H. B. No. 831, A bill to be entitled "An Act to amend Section 2 of Chapter 484 of the Acts of the Forty-fifth Legislature, 1937, by adding thereto an additional Section providing for the payment into the county's general fund of all unclaimed trust funds which have remained on hand with any county or district clerk for a period longer than four years, and declaring an emergency."

Referred to the Committee on Judiciary.

Mr. Boyd asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bills Nos. 832, 833 and 834.

There was no objection offered.

The Chair then laid the bills before the House, they were read first time, and referred to the appropriate committees, as follows:

By Mr. Boyd and Mr. Felty:

H. B. No. 832, A bill to be entitled "An Act to declare valid and legal the establishment and organization of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Boyd and Mr. Felty:

H. B. No. 833, A bill to be entitled "An Act to authorize cities to adopt ordinances relating to the repair and closing of dwellings unfit for human habitation; to provide for the remedies and procedure in connection with action taken under such ordinances, and to declare an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Boyd and Mr. Felty:

H. B. No. 834, A bill to be entitled "An Act to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for all public deposits, and legal investments for the State and public officers, muni-

cipal corporations, political subdivisions and public bodies, all banks, bankers, trust companies, saving banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries; to repeal Section 14-A of Chapter 462, Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 102, Second Called Session of the Forty-fifth Legislature, and to declare an emergency."

Referred to the Committee on Municipal and Private Corporations.

MOTIONS TO INSTRUCT COMMITTEE ON REVENUE AND TAXATION

Mr. Hale moved that the Committee on Revenue and Taxation be instructed to report House Bill No. 340 to the House by next Monday, March 13.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—75

Allison	Hardeman
Bailey	Harp
Baker of Grayson	Harper
Bell	Harrell of Bastrop
Boyd	Harrell of Lamar
Bradbury	Holland
Broadfoot	Howington
Brown of Cherokee	Isaacks
Brown of Nacogdoches	Kennedy
Burney	Kern
Cauthorn	Kerr
Chambers	King
Cleveland	Langdon
Cockrell	Lehman
Coleman	Leyendecker
Cornett	Lock
Davis of Jasper	London
Davis of Upshur	McDonald
Derden	McNamara
Dickison	Mohrmann
Dickson	Morris
Dowell	Oliver
Faulkner	Piner
Ferguson	Reader of Erath
Fuchs	Reaves
Galbreath	Rhodes
Hale	Roach
Hamilton	Roberts
	Russell

Skiles	Voigt
Smith of Hopkins	Waggoner
Spencer	Weldon
Stoll	Wells
Talbert	Westbrook
Tarwater	White
Thornberry	Wilson
Turner	Wood
Vint	Worley

Nays—51

Allen	McDaniel
Alsup	McFarland
Blankenship	McMurry
Boyer	Monkhouse
Bradford	Montgomery
Bray	Newell
Bundy	Nicholson
Burkett	Olsen
Clark	Pace
Colquitt	Petsch
Crossley	Pevehouse
Daniel	Reader of Bexar
Donaghey	Reed
Felty	Riviere
Gilmer	Robinson
Goodman	Schuenemann
Gordon, Mrs.	Segrist
Hankamer	Shell
Hardin	Smith
Harris	of Matagorda
Hartzog	Stinson
Hull	Taylor
Hunt	Tennant
Kersey	Thornton
Mays	Vale
McAlister	Winfree

Present—Not Voting

Smith of Frio

Absent

Baker	Howard
of Fort Bend	Johnson of Ellis
Bridgers	Johnson of Tarrant
Celaya	Kinard
Colson, Mrs.	Loggins
Corry	Pope
Dwyer	Ragsdale
Fielden	Wright
Heflin	

Absent—Excused

Anderson	Keith
Bond	Little
Dean	

Mr. Derden moved that the Committee on Revenue and Taxation be instructed to report House Bill No. 417 to the House by next Monday, March 13.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—74

Allison	King
Alsup	Langdon
Bailey	Lehman
Baker of Grayson	Leyendecker
Bell	Lock
Boyd	London
Bradbury	McDonald
Broadfoot	McNamara
Brown of Cherokee	Mohrmann
Brown	Morris
of Nacogdoches	Oliver
Burney	Olsen
Cauthorn	Reader of Erath
Chambers	Reaves
Cleveland	Rhodes
Cockrell	Roach
Coleman	Roberts
Cornett	Russell
Davis of Jasper	Skiles
Davis of Upshur	Smith of Frio
Derden	Smith of Hopkins
Dickison	Spencer
Dowell	Stoll
Faulkner	Talbert
Fuchs	Thornberry
Hale	Turner
Hamilton	Vint
Hardeman	Voigt
Harp	Waggoner
Harper	Weldon
Harrell of Bastrop	Wells
Harrell of Lamar	Westbrook
Holland	White
Howington	Wilson
Isaacks	Wood
Kennedy	Worley
Kern	Wright
Kerr	

Nays—53

Allen	Hankamer
Blankenship	Hardin
Boyer	Hartzog
Bradford	Heflin
Bray	Hull
Bundy	Hunt
Burkett	Kersey
Clark	Loggins
Colquitt	Mays
Crossley	McAlister
Daniel	McDaniel
Dickson	McFarland
Donaghey	McMurry
Ferguson	Monkhouse
Galbreath	Montgomery
Gilmer	Newell
Goodman	Pace
Gordon, Mrs.	Petsch

Pevehouse	Smith
Piner	of Matagorda
Reader of Bexar	Stinson
Reed	Tarwater
Riviere	Taylor
Robinson	Tennant
Schuenemann	Thornton
Segrist	Vale
Shell	Winfree

Absent

Baker	Harris
of Fort Bend	Howard
Bridgers	Johnson of Ellis
Celaya	Johnson of Tarrant
Colson, Mrs.	Kinard
Corry	Nicholson
Dwyer	Pope
Felty	Ragsdale
Fielden	

Absent—Excused

Anderson	Keith
Bond	Little
Dean	

Mr. Newell moved that the Committee on Revenue and Taxation be instructed to report House Bill No. 651 to the House by next Monday, March 13.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—74

Allen	Galbreath
Allison	Hale
Alsup	Hamilton
Bailey	Hardeman
Baker of Grayson	Harp
Bell	Harrell of Bastrop
Bradbury	Harrell of Lamar
Broadfoot	Holland
Brown of Cherokee	Howington
Brown	Johnson of Ellis
of Nacogdoches	Kern
Burney	King
Chambers	Langdon
Clark	Lehman
Cleveland	Leyendecker
Cockrell	Loggins
Coleman	London
Cornett	McNamara
Crossley	Morris
Davis of Jasper	Newell
Davis of Upshur	Oliver
Derden	Olsen
Dickson	Pace
Dowell	Piner
Faulkner	Reader of Erath
Ferguson	Reaves
Fuchs	Rhodes

Roach	Tarwater
Roberts	Thornberry
Russell	Turner
Skiles	Voigt
Smith of Frio	Weldon
Smith of Hopkins	Wells
Smith	Westbrook
of Matagorda	White
Spencer	Wilson
Stoll	Worley
Talbert	Wright

Nays—49

Blankenship	McDonald
Boyer	McFarland
Bradford	McMurry
Bray	Mohrmann
Bundy	Monkhouse
Burkett	Montgomery
Cauthorn	Nicholson
Colquitt	Pevehouse
Daniel	Reader of Bexar
Donaghey	Reed
Felty	Riviere
Gilmer	Robinson
Gordon, Mrs.	Schuenemann
Hankamer	Segrist
Hardin	Shell
Hartzog	Stinson
Heflin	Taylor
Hunt	Tennant
Isaacks	Thornton
Kennedy	Vale
Kerr	Vint
Kersey	Waggoner
Lock	Winfree
Mays	Wood
McAlister	

Present—Not Voting

McDaniel

Absent

Baker	Goodman
of Fort Bend	Harper
Boyd	Harris
Bridgers	Howard
Celaya	Hull
Colson, Mrs.	Johnson of Tarrant
Corry	Kinard
Dickson	Petsch
Dwyer	Pope
Fielden	Ragsdale

Absent—Excused

Anderson	Keith
Bond	Little
Dean	

MOTIONS TO RE-REFER CERTAIN HOUSE BILLS

Mr. Davis of Upshur moved that House Bill No. 570 be withdrawn from

the Committee on Appropriations and referred to the Committee on Claims and Accounts.

The motion was lost.

Mr. Isaacks moved that House Bill No. 628 be withdrawn from the Committee on State Affairs and referred to the Committee on Livestock and Stock Raising.

The motion was lost.

Mr. Isaacks moved that House Bill No. 770 be withdrawn from the Committee on State Affairs and referred to the Committee on Livestock and Stock Raising.

The motion was lost.

RELATIVE TO DISCRIMINATORY FREIGHT RATES

Mr. Ragsdale offered the following resolution:

H. S. R. No. 159, Relative to discriminatory freight rates.

Whereas, A concerted effort is now being made by Texas and other Southern and Western States of the Union to obtain more favorable adjustments of freight rates which are now discriminatory; and

Whereas, The Forty-sixth Legislature has been petitioned by the recent Farmers Congress assembled in Austin to request the Agricultural and Mechanical College of Texas, through its Department of Engineering, to make a factual study of discriminatory freight rates as the same apply to agricultural and livestock products of the State of Texas; and

Whereas, The agricultural and livestock producers of Texas are fully warranted in making this request for a specific service that will supply factual information on which the Legislature, the Governor and all interested citizens of Texas may base conclusions and recommendations to the Congress and the Interstate Commerce Commission in further support and prosecution of the rate adjustments to which Texas is rightfully entitled; now, therefore, be it

Resolved, That the House of Representatives of the Forty-sixth Legislature, in compliance with the resolution of the Farmers Congress, hereby requests the Agricultural and Mechanical College, through its Department of Engineering, to make a fac-

tual study of discriminatory freight rates applying to agricultural and livestock products of the State of Texas and report its findings of fact to the Governor of Texas and each Member of the Texas delegation in the Congress of the United States; be it further

Resolved, That the Chief Clerk of the House of Representatives transmit a copy of this resolution to the Agricultural and Mechanical College of Texas, and a copy to the Governor of Texas.

RAGSDALE,
FUCHS,
CHAMBERS,
HOWINGTON,
TARWATER,
LEHMAN,
DAVIS of Jasper,
STOLL,
OLSEN.

The resolution was read second time, and was adopted.

EXPRESSING SYMPATHY OF THE HOUSE TO MISS ANNIE COOK

Mr. Hamilton offered the following resolution:

H. S. R. No. 160, Expressing sympathy of the House to Miss Annie Cook.

Whereas, Miss Annie Cook, lovingly known to all the Members of the House as "Senator Cook", recently fell and sustained serious injuries; and

Whereas, She has been in the hospital for several weeks and is now recuperating at her home on 2206 San Antonio Street; and

Whereas, We regret exceedingly the fact that she has sustained such injuries and is unable to honor us with her presence during this Legislature; now, therefore, be it

Resolved by the House of Representatives, That we hereby express to "Senator Annie Cook" our sincere regrets in this time of trouble and trust that she will soon be able to be up and visit again in the Hall of the House of Representatives; and, be it further

Resolved, That flowers be sent to her home where she is now located

and that the Chief Clerk of the House send her a copy of this resolution.

HAMILTON,
SEGRIST,
CAUTHORN,
BRADBURY,
SMITH of Hopkins.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Al-
lison, Alsup, Anderson, Bailey, Baker
of Fort Bend, Baker of Grayson, Bell,
Blankenship, Bond, Boyd, Boyer,
Bradford, Bray, Bridgers, Broadfoot,
Brown of Cherokee, Brown of Nac-
ogdoches, Bundy, Burkett, Burney,
Celaya, Chambers, Clark, Cleveland,
Cockrell, Coleman, Colquitt, Colson,
Mrs., Cornett, Corry, Crossley, Daniel,
Davis of Jasper, Davis of Upshur,
Dean, Derden, Dickison, Dickson, Don-
aghey, Dowell, Dwyer, Faulkner,
Felty, Ferguson, Fielden, Fuchs, Gal-
breath, Gilmer, Goodman, Gordon,
Mrs., Hale, Hankamer Hardeman,
Hardin, Harp, Harper, Harrell of
Bastrop, Harrell of Lamar, Harris,
Hartzog, Heflin, Holland, Howard,
Howington, Hull, Hunt, Isaacks, John-
son of Ellis, Johnson of Tarrant,
Keith, Kennedy, Kern, Kerr, Kersey,
Kinard, King, Langdon, Lehman,
Leonard, Leyendecker, Little, Lock,
Loggins, London, Mays, McAlister,
McDaniel, McDonald, McFarland, Mc-
Murry, McNamara, Mohrmann, Monk-
house, Montgomery, Morris, Newell,
Nicholson, Oliver, Olsen, Pace, Petsch,
Pevehouse, Piner, Pope, Ragsdale,
Reader of Bexar, Reader of Erath,
Reaves, Reed, Rhodes, Riviere, Roach,
Roberts, Robinson, Russell, Schuene-
mann, Shell, Skiles, Smith of Frio,
Smith of Matagorda, Spencer, Stinson,
Stoll, Talbert, Tarwater, Taylor, Ten-
nant, Thornberry, Thornton, Turner,
Vale, Vint, Voigt, Waggoner, Weldon,
Wells, Westbrook, White, Wilson,
Winfree, Wood, Worley and Wright.

On motion of Mr. Worley, the
names of all the Members of the
House were added to the resolution as
signers thereof.

The resolution was unanimously
adopted.

AUTHORIZING THE LOAN OF CERTAIN HIGHWAY EQUIPMENT

Mr. Galbreath offered the following
resolution:

H. C. R. No. 54, Authorizing the
loan of certain highway equipment.

Whereas, The State Highway De-
partment of Texas has a large quan-
tity of discarded guard wire in Jack-
son County; and

Whereas, The Ganado Independent
School District of Jackson County an-
ticipates a large number of people at-
tending county school meets to be held
in the early summer of this year; and

Whereas, It will be necessary and
important to said school district to
fence the grounds where said meet
will be held; and

Whereas, It would be a great ac-
commodation to said school district if
the State Highway Department were
permitted to loan said district the dis-
carded wire hereinabove mentioned for
the purpose of fencing the grounds;
now, therefore, be it

Resolved by the House of Represen-
tatives, the Senate concurring, That
the State Highway Department of
Texas be authorized to loan to the
School Board of Ganado Independent
School District sufficient quantities of
the discarded wire hereinabove men-
tioned for the purposes as hereinabove
set out, said School Board to return
wire upon request of the State High-
way Department; and it is so resolved.

The resolution was read second
time, and was adopted.

EXPRESSING APPRECIATION OF THE HOUSE

Mr. Alsup offered the following
resolution:

H. S. R. No. 161, Expressing ap-
preciation of the House to the Ver-
halen Nursery of Scottsville, Harri-
son County.

Whereas, The House of Representa-
tives of the Forty-sixth Legislature
has on today been furnished with
beautiful jonquils by the Verhalen
Nursery of Scottsville, Harrison
County, Texas; and

Whereas, These golden blossoms
herald the coming of Spring and add
beauty and cheer to the Halls of the
House; now therefore, be it

Resolved by the House of Repre-
sentatives, That it take this means of
expressing its thanks and apprecia-
tion to Messrs. S. J. Verhalen, G. F.
Verhalen and R. P. Verhalen, of the
Verhalen Nursery; and be it further

Resolved, That the House express
its profound thanks to Hon. Robert
H. Wood, through whom this gift of

flowers was tendered; and be it further

Resolved, That the Chief Clerk of the House be instructed to send to the Verhalen Nursery a copy of this resolution.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Colson, Mrs., Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickson, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Gordon, Mrs., Hale, Hamilton, Hankamer, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Heflin, Holland, Howard, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonauld, McFarland, McMurry, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Olsen, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On the motion of Mr. Bray, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

MESSAGE FROM THE SENATE

Austin, Texas, March 7, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate

to inform the House the Senate has passed the following:

S. B. No. 75, A bill to be entitled "An Act to regulate Brokers who sell transportation or who make any contract, agreement, or arrangement to provide, procure, furnish, or arrange for transportation, furnish information relative to such transportation, or introduce parties; to require such Brokers to have a broker's license; defining certain terms; providing for the issuance, also the cancellation, of such license by the Railroad Commission of Texas, fixing the conditions under which such license may be issued; providing that the Railroad Commission may make reasonable rules and regulations applicable to all persons holding broker's license; providing for hearings; requiring a bond; providing for reviews of orders of the Commission; fixing a tax; providing penalties, and declaring an emergency."

S. B. No. 78, A bill to be entitled "An Act to create a Soldiers' and Sailors' Home in the State of Texas, providing that said home shall be operated in conjunction with the Confederate Home at Austin, Texas, and placing the operation thereof under the supervision of the State Board of Control; providing that inmates may be discharged for admission procured by fraud or misrepresentation and determining eligibility for admission, and providing that Board of Control may negotiate with the Federal Government for aid and assistance in support thereof, and declaring an emergency."

S. B. No. 206, A bill to be entitled "An Act to simplify proceedings in delinquent tax suits; providing for a simplified form of petition; providing that such petition need not be verified; providing for a simplified form of citation, and declaring an emergency."

H. B. No. 272, A bill to be entitled "An Act providing that it shall be unlawful to kill wild turkey in the Counties of Madison, Houston, Walker, San Jacinto and Grimes for a period of five years from and after passage of this Act; repealing all conflicting laws; providing a suitable penalty, and declaring an emergency." (With amendment.)

S. C. R. No. 16, Authorizing the State Highway Department to lend certain equipment to the School Board

of the Ganado Independent School District.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 407 ON SECOND READING

The Chair laid before the House, as a special order, on its second reading and passage to engrossment,

H. B. No. 407, A bill to be entitled "An Act to provide for the issuance of certificates of title covering motor vehicles and their parts, with certain specified exceptions, so as to disclose ownership and encumbrances; defining the terms 'motor vehicle,' 'lien,' 'owner,' 'mortgagee,' 'mortgagor,' 'first sale,' 'subsequent sale,' 'new car,' 'used car,' 'person,' hereafter, 'receipt,' 'stolen and converted,' 'concealed motor vehicle,' 'manufacturer,' 'importer,' 'distributor,' 'dealer,' 'motor number,' 'serial number,' manufacturer's certificate,' 'importer's certificate,' 'certificate of title,' 'department,' and 'designated agent;' placing the administration and enforcement of the law in the Department of Public Safety, and providing its rights and duties in respect thereto; authorizing the said Department to prescribe necessary forms, and to make rules necessary to effectuate the law; prescribing the method and manner of procuring certificates of title, issuance and reissuance of the same and duplicates thereof, and stating conditions and prerequisites therefor; requiring the owners and purchasers of motor vehicles to procure such certificates; requiring the transfer of certificates in all cases of sale, and making sales without transfer of certificate void; prohibiting the sale, disposition or purchase of motor vehicles without a certificate of title, etc., and declaring an emergency."

The bill was read second time.

(Pending consideration of House Bill No. 407, Mr. Wood occupied the Chair temporarily.)

(Mr. Leonard in the Chair.)

Mr. Hartzog offered the following amendment to the bill:

Amend House Bill No. 407, by striking out the words and figures "Twenty-five (25c)" where they appear on line 15, page 13, and insert in lieu thereof, the following: "Thirty Cents (30c)".

The amendment was adopted.

Mr. Talbert offered the following amendment to the bill:

Amend House Bill No. 407, page 13, Section 57, lines 10 and 11, by striking out the words and figures "Seventy-five Cents (75c)" and substituting in lieu thereof the words and figures "Fifty Cents (50c)".

Mr. Langdon offered the following substitute for the amendment by Mr. Talbert:

Amend House Bill No. 407, page 13, Section 57, lines 10 and 11, by striking out the words and figures "Seventy-five Cents (75c)" and substituting therefor the words and figures "Twenty-five Cents (25c)".

Mr. Hartzog moved to table the substitute amendment by Mr. Langdon.

The motion to table was lost.

Question then recurring on the substitute amendment by Mr. Langdon, it was adopted.

Question then recurring on the amendment by Mr. Talbert, as substituted, it was adopted.

Mr. Langdon moved to reconsider the vote by which the amendment, as substituted, was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Hartzog offered the following amendment to the bill:

Amend House Bill No. 407, by striking out the words and figures "Twenty-five Cents (25c)" where they appear in line 15, page 13, and insert in lieu thereof the following: "Ten Cents (10c)".

The amendment was adopted.

Mr. Isaacks offered the following amendment to the bill:

Amend House Bill No. 407, by inserting after the word "purchaser" in line 22, page 5, Section 24, the words "and seller" and after the word "transferee" in line 23, same page and Section, the words "and transferer".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 407 was then passed to engrossment.

HOUSE BILL NO. 407 ON THIRD
READING

Mr. Hartzog moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 407 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Allen	Harris
Allison	Hartzog
Alsup	Heflin
Baker	Holland
of Fort Bend	Howington
Baker of Grayson	Hull
Bell	Hunt
Blankenship	Isaacks
Boyer	Johnson of Ellis
Bradbury	Johnson of Tarrant
Bradford	Kennedy
Bray	Kern
Bridgers	Kersey
Broadfoot	Kinard
Brown of Cherokee	King
Brown	Lehman
of Nacogdoches	Leyendecker
Bundy	Lock
Burkett	Loggins
Burney	London
Cauthorn	Mays
Celaya	McAlister
Chambers	McDaniel
Cleveland	McDonald
Cockrell	McFarland
Coleman	McMurry
Colquitt	Mohrmann
Corry	Montgomery
Crossley	Morris
Davis of Jasper	Newell
Davis of Upshur	Oliver
Dickison	Petsch
Dickson	Pevehouse
Donaghey	Piner
Dowell	Ragsdale
Dwyer	Reader of Bexar
Faulkner	Reader of Erath
Felty	Reaves
Fuchs	Reed
Galbreath	Riviere
Goodman	Roach
Gordon, Mrs.	Roberts
Hale	Robinson
Hamilton	Schuenemann
Hankamer	Segrist
Hardeman	Shell
Hardin	Smith of Frio
Harp	Smith of Hopkins
Harper	Smith
Harrell of Bastrop	of Matagorda
Harrell of Lamar	Spencer

Stinson
Stoll
Taylor
Thornberry
Thornton
Turner
Vale
Vint

Voigt
Waggoner
Wells
Wilson
Winfree
Worley
Wright

Nays—16

Bailey
Cornett
Daniel
Derden
Ferguson
Langdon
McNamara
Pace

Rhodes
Russell
Skiles
Talbert
Tennant
Weldon
White
Wood

Absent

Boyd
Clark
Colson, Mrs.
Fielden
Gilmer
Howard
Kerr

Monkhouse
Nicholson
Olsen
Pope
Tarwater
Westbrook

Absent—Excused

Anderson
Bond
Dean

Keith
Little

The Chair then laid House Bill No. 407 before the House on third reading and final passage.

The bill was read third time.

Mr. Wood offered the following amendment to the bill:

Amend House Bill No. 407, by changing the period in line 16 of Section 57, page 13 to a semi-colon, and then add the following: "and the balance shall be turned over to the Treasurer of this State to be credited to the General Revenue Fund of this State. No monies collected under this Act shall ever be expended except by direct appropriation of the Legislature."

Mr. Hartzog moved to table the amendment.

The motion to table was lost.

Question then recurring on the amendment, it was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—71

Allen
Bailey
Baker
of Fort Bend

Baker of Grayson
Bradbury
Bray
Brown of Cherokee

Brown	London
of Nacogdoches	McMurry
Burkett	McNamara
Burney	Mohrmann
Cauthorn	Monkhouse
Cleveland	Morris
Cockrell	Oliver
Coleman	Pace
Crossley	Piner
Daniel	Pope
Davis of Jasper	Reader of Erath
Derden	Rhodes
Dowell	Roberts
Faulkner	Russell
Ferguson	Skiles
Fuchs	Smith of Frio
Galbreath	Smith of Hopkins
Hale	Spencer
Hankamer	Stoll
Hardeman	Talbert
Hardin	Tarwater
Harp	Taylor
Harrell of Bastrop	Tennant
Heflin	Thornton
Holland	Voigt
Howington	Waggoner
Hunt	Weldon
Kennedy	Westbrook
Kern	White
King	Wood
Lehman	Worley
Lock	Wright
Loggins	

Nays—59

Allison	Kersey
Alsup	Kinard
Bell	Langdon
Blankenship	Leyendecker
Boyd	McAlister
Boyer	McDaniel
Bradford	McFarland
Broadfoot	Montgomery
Bundy	Newell
Celaya	Nicholson
Clark	Olsen
Colquitt	Petsch
Corry	Pevehouse
Davis of Upshur	Reader of Bexar
Dickison	Reaves
Dickson	Reed
Donaghey	Riviere
Dwyer	Roach
Felty	Robinson
Goodman	Schuenemann
Gordon, Mrs.	Segrist
Harrell of Lamar	Shell
Hartzog	Smith
Howard	of Matagorda
Hull	Stinson
Isaacks	Thornberry
Johnson of Ellis	Turner
Johnson of Tarrant	Vale

Vint	Wilson
Wells	Winfree
	Absent
Bridgers	Harper
Chambers	Harris
Colson, Mrs.	Kerr
Cornett	Mays
Fielden	McDonald
Gilmer	Ragsdale
Hamilton	
	Absent—Excused
Anderson	Keith
Bond	Little
Dean	

Mr. Langdon offered the following amendment to the bill:

Amend House Bill No. 407, page 13, Section 57, line 16, by changing the period in said line to a semi-colon, and add the following: "and the balance shall be paid over to the Treasurer of this State to be credited to the General Revenue Fund of this State. No money collected under this Act shall ever be expended except by a direct appropriation of the Legislature and such appropriation shall never exceed that amount which was collected under this Act on the preceding year."

The amendment was adopted.

Mr. Derden moved that further consideration of House Bill No. 407 be postponed until 10:30 o'clock a. m., Tuesday, March 21.

Mr. Cornett moved, as a substitute motion, that further consideration of House Bill No. 407 be postponed until 10:30 o'clock a. m., next Friday, March 10.

On motion of Mr. Hartzog, the substitute motion, by Mr. Cornett, was tabled.

On motion of Mr. Hartzog, the motion by Mr. Derden was tabled.

House Bill No. 407 was then passed by the following vote:

Yeas—101

Allison	Bradford
Alsup	Bridgers
Baker	Brown of Cherokee
of Fort Bend	Brown
Baker of Grayson	of Nacogdoches
Bell	Bundy
Blankenship	Burkett
Boyd	Burney
Boyer	Cauthorn
Bradbury	Celaya

Coleman	McDonald
Colquitt	McFarland
Colson, Mrs.	McMurry
Corry	Mohrmann
Crossley	Monkhouse
Davis of Upshur	Montgomery
Dickison	Morris
Dickson	Newell
Donaghey	Nicholson
Dowell	Olsen
Dwyer	Petsch
Felty	Pevehouse
Fielden	Piner
Galbreath	Ragsdale
Gilmer	Reader of Bexar
Goodman	Reader of Erath
Gordon, Mrs.	Reed
Hamilton	Riviere
Hankamer	Roach
Hardeman	Robinson
Harp	Schuenemann
Harper	Segrist
Harrell of Lamar	Shell
Harris	Smith of Frio
Hartzog	Smith of Hopkins
Heflin	Smith
Holland	of Matagorda
Howard	Stinson
Hull	Tarwater
Hunt	Taylor
Isaacks	Thornberry
Johnson of Ellis	Thornton
Johnson of Tarrant	Turner
Kerr	Vale
Kersey	Vint
Kinard	Voigt
King	Waggoner
Leyendecker	Wells
Lock	White
London	Wilson
McAlister	Winfree
McDaniel	Worley

Nays—35

Allen	Langdon
Bailey	Lehman
Bray	McNamara
Broadfoot	Pace
Cleveland	Pope
Cockrell	Rhodes
Cornett	Roberts
Daniel	Russell
Davis of Jasper	Skiles
Derden	Spencer
Faulkner	Stoll
Ferguson	Talbert
Fuchs	Tennant
Hardin	Weldon
Harrell of Bastrop	Westbrook
Howington	Wood
Kennedy	Wright

Kern
Clark Present—Not Voting

Absent

Chambers	Mays
Hale	Oliver
Loggins	Reaves

Absent—Excused

Anderson	Keith
Bond	Little
Dean	

Mr. Hartzog moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO SET HOUSE JOINT RESOLUTION NO. 16 FOR SPECIAL ORDER

Mr. Petsch moved that House Joint Resolution No. 16 be set as a special order for 10:30 o'clock a. m., next Tuesday, March 14.

Question recurring on the motion by Mr. Petsch, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows: Yeas, 83; Nays, 41.

Mr. Pope requested a verification of the vote.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—80

Allen	Gilmer
Allison	Gordon, Mrs.
Alsup	Hamilton
Bailey	Hankamer
Boyer	Hardin
Bradbury	Harrell of Bastrop
Bradford	Harrell of Lamar
Broadfoot	Harris
Brown of Cherokee	Heflin
Brown of Nacogdoches	Holland
Bundy	Howard
Burkett	Howington
Celaya	Hull
Clark	Hunt
Cleveland	Isaacks
Cockrell	Johnson of Ellis
Colquitt	Johnson of Tarrant
Colson, Mrs.	Kennedy
Crossley	Kern
Davis of Jasper	Lehman
Dickson	Leyendecker
Donaghey	McAlister
Dwyer	McDaniel
Faulkner	McDonald
Fuchs	McMurry
	Monkhouse

Montgomery	Shell
Nicholson	Spencer
Oliver	Stinson
Olsen	Stoll
Pace	Talbert
Petsch	Taylor
Pevehouse	Thornton
Reader of Erath	Turner
Reaves	Vale
Rhodes	Westbrook
Riviere	Wilson
Roberts	Winfree
Russell	Worley
Schuenemann	Wright
Segrist	

Nays—51

Baker	Lock
of Fort Bend	London
Baker of Grayson	Mays
Bell	McFarland
Boyd	McNamara
Bray	Mohrmann
Bridgers	Morris
Burney	Newell
Cauthorn	Piner
Chambers	Pope
Cornett	Reed
Daniel	Roach
Davis of Upshur	Robinson
Derden	Skiles
Dickison	Smith of Frio
Dowell	Smith of Hopkins
Felty	Smith
Ferguson	of Matagorda
Galbreath	Tarwater
Goodman	Tennant
Hale	Thornberry
Hardeman	Vint
Harp	Weldon
Harper	Wells
Kersey	White
King	Wood
Langdon	

Absent

Blankenship	Kinard
Coleman	Loggins
Corry	Ragsdale
Fielden	Reader of Bexar
Hartzog	Voigt
Kerr	Waggoner

Absent—Excused

Anderson	Keith
Bond	Little
Dean	

The Chair announced that the motion by Mr. Petsch was lost (not receiving the necessary two-thirds vote).

Mr. Tennant moved to reconsider the vote by which the House refused

to set House Joint Resolution No. 16 for special order.

Mr. Wood moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—57

Baker	Lock
of Fort Bend	London
Baker of Grayson	Mays
Bell	McAlister
Boyd	McDaniel
Bray	McFarland
Bridgers	McNamara
Bundy	Mohrmann
Cauthorn	Morris
Celaya	Piner
Chambers	Pope
Cornett	Ragsdale
Daniel	Reaves
Davis of Jasper	Reed
Davis of Upshur	Roach
Derden	Robinson
Dickison	Skiles
Dowell	Smith of Frio
Felty	Smith of Hopkins
Ferguson	Smith
Galbreath	of Matagorda
Hale	Tarwater
Hardeman	Thornberry
Harp	Vint
Harrell of Lamar	Weldon
Howington	Wells
Hull	White
Kersey	Wood
King	Worley
Langdon	

Nays—80

Allen	Dickson
Alsup	Donaghey
Bailey	Dwyer
Blankenship	Faulkner
Boyer	Fuchs
Bradbury	Gilmer
Bradford	Gordon, Mrs.
Broadfoot	Hamilton
Brown of Cherokee	Hankamer
Brown	Hardin
of Nacogdoches	Harper
Burkett	Harrell of Bastrop
Burney	Hartzog
Clark	Heflin
Cleveland	Holland
Cockrell	Howard
Coleman	Hunt
Colquitt	Isaacks
Colson, Mrs.	Johnson of Ellis
Corry	Johnson of Tarrant
Crossley	Kennedy

Kern
Kinard
Lehman
Leyendecker
Loggins
McDonald
McMurry
Monkhouse
Montgomery
Newell
Nicholson
Oliver
Olsen
Pace
Petsch
Pevehouse
Reader of Erath
Rhodes
Riviere
Roberts

Russell
Schuenemann
Segrist
Shell
Spencer
Stinson
Stoll
Talbert
Taylor
Tennant
Thornton
Turner
Vale
Voigt
Waggoner
Westbrook
Wilson
Winfree
Wright

Absent

Allison
Fielden
Goodman

Harris
Kerr
Reader of Bexar

Absent—Excused

Anderson
Bond
Dean

Keith
Little

Question then recurring on the motion to reconsider the vote by which the House refused to set House Joint Resolution No. 16 for special order, yeas and nays were demanded.

The motion to reconsider prevailed by the following vote:

Yeas—78

Allen
Allison
Alsup
Bailey
Blankenship
Boyer
Bradbury
Bradford
Broadfoot
Burkett
Burney
Clark
Cleveland
Cockrell
Coleman
Colquitt
Colson, Mrs.
Crossley
Davis of Jasper
Dickson
Donaghey
Dwyer
Faulkner

Fuchs
Gordon, Mrs.
Hamilton
Hankamer
Hardin
Harper
Harrell of Bastrop
Harrell of Lamar
Harris
Hartzog
Heflin
Holland
Hull
Hunt
Isaacks
Johnson of Ellis
Johnson of Tarrant
Kennedy
Kern
Lehman
Leyendecker
Loggins
McAlister

McDonald
McMurry
Monkhouse
Montgomery
Nicholson
Oliver
Olsen
Pace
Petsch
Pevehouse
Reader of Erath
Rhodes
Riviere
Roberts
Schuenemann
Segrist

Shell
Spencer
Stinson
Stoll
Talbert
Taylor
Tennant
Thornton
Turner
Vale
Voigt
Waggoner
Wilson
Winfree
Worley
Wright

Nays—57

Baker
of Fort Bend
Baker of Grayson
Bell
Boyd
Bray
Bridgers
Brown of Cherokee
Brown
of Nacogdoches
Bundy
Cauthorn
Celaya
Chambers
Cornett
Daniel
Davis of Upshur
Derden
Dickison
Dowell
Felty
Ferguson
Galbreath
Gilmer
Hale
Hardeman
Harp
Howington
Kersey
King

Langdon
Lock
London
Mays
McFarland
McNamara
Mohrmann
Morris
Newell
Piner
Pope
Ragsdale
Reader of Bexar
Reaves
Reed
Roach
Robinson
Russell
Skiles
Smith of Frio
Smith of Hopkins
Smith
of Matagorda
Tarwater
Thornberry
Vint
Weldon
Wells
White
Wood

Present—Not Voting

McDaniel

Absent

Corry
Fielden
Goodman
Howard

Kerr
Kinard
Westbrook

Absent—Excused

Anderson
Bond
Dean

Keith
Little

Question then recurring on the motion to set House Joint Resolution No. 16 as a special order, yeas and nays were demanded.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—88

Allen	Isaacks
Allison	Johnson of Ellis
Alsup	Johnson of Tarrant
Bailey	Kennedy
Blankenship	Kern
Boyer	Kinard
Bradbury	Lehman
Bradford	Leyendecker
Broadfoot	Loggins
Brown of Cherokee	McAlister
Brown of Nacogdoches	McDaniel
Bundy	McDonald
Burkett	McMurry
Burney	Monkhouse
Clark	Montgomery
Cleveland	Nicholson
Cockrell	Oliver
Coleman	Olsen
Colquitt	Pace
Colson, Mrs.	Petsch
Corry	Pevehouse
Crossley	Reader of Erath
Davis of Jasper	Rhodes
Dickson	Riviere
Donaghey	Roberts
Dwyer	Schuenemann
Faulkner	Segrist
Fuchs	Shell
Gilmer	Spencer
Gordon, Mrs.	Stinson
Hamilton	Stoll
Hankamer	Talbert
Hardin	Taylor
Harper	Tennant
Harrell of Bastrop	Thornton
Harrell of Lamar	Turner
Harris	Vale
Hartzog	Voigt
Heflin	Waggoner
Holland	Westbrook
Howard	Wilson
Howington	Winfree
Hull	Worley
Hunt	Wright

Nays—53

Baker	Cauthorn
of Fort Bend	Celaya
Baker of Grayson	Chambers
Bell	Cornett
Boyd	Daniel
Bray	Davis of Upshur
Bridgers	Derden

Dickison	Pope
Dowell	Ragsdale
Felty	Reader of Bexar
Ferguson	Reaves
Galbreath	Reed
Hale	Roach
Hardeman	Robinson
Harp	Russell
Kerr	Skiles
Kersey	Smith of Frio
King	Smith of Hopkins
Langdon	Smith
Lock	of Matagorda
London	Tarwater
Mays	Thornberry
McFarland	Vint
McNamara	Weldon
Mohrmann	Wells
Morris	White
Newell	Wood
Piner	

Absent

Fielden	Goodman
---------	---------

Absent—Excused

Anderson	Keith
Bond	Little
Dean	

REASONS FOR VOTE

I voted "no" on the motion to set the sales tax for special order because I wanted more time in which to force a committee report on our natural resources tax bill.

HALE.

I voted "aye" on the motion to set House Joint Resolution No. 16 as a special order for next Tuesday, because I wanted immediate action by the House on the proposed amendment to be voted on by the people.

BURKETT.

HOUSE BILL NO. 272 WITH SENATE AMENDMENTS

Mr. Coleman called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 272, A bill to be entitled "An Act providing that it shall be unlawful to kill wild turkey in the Counties of Madison, Houston, Walker, San Jacinto and Grimes for a period of five (5) years from and after passage of this Act; repealing all conflicting laws; providing a suitable penalty, and declaring an emergency."

The Chair laid the bill before the House, with the Senate amendments.

On motion of Mr. Coleman, the House concurred in the Senate amendments by the following vote:

Yeas—136

Allison	Harrell of Lamar
Alsup	Harris
Bailey	Heflin
Baker	Holland
of Fort Bend	Howington
Baker of Grayson	Hull
Bell	Hunt
Blankenship	Isaacks
Boyd	Johnson of Ellis
Boyer	Johnson of Tarrant
Bradbury	Kennedy
Bradford	Kern
Bray	Kersey
Bridgers	Kinard
Broadfoot	King
Brown of Cherokee	Langdon
Brown	Lehman
of Nacogdoches	Leyendecker
Bundy	Lock
Burkett	Loggins
Burney	London
Celaya	Mays
Chambers	McAlister
Clark	McDaniel
Cleveland	McDonald
Cockrell	McFarland
Coleman	McMurry
Colquitt	McNamara
Colson, Mrs.	Mohrmann
Cornett	Monkhouse
Corry	Montgomery
Crossley	Morris
Daniel	Newell
Davis of Jasper	Nicholson
Davis of Upshur	Oliver
Derden	Olsen
Dickison	Pace
Dickson	Petsch
Donaghey	Pevehouse
Dowell	Piner
Dwyer	Pope
Faulkner	Ragsdale
Felty	Reader of Bexar
Ferguson	Reader of Erath
Fuchs	Reaves
Galbreath	Reed
Gilmer	Rhodes
Goodman	Riviere
Gordon, Mrs.	Roach
Hale	Roberts
Hamilton	Robinson
Hankamer	Russell
Hardeman	Schuenemann
Hardin	Segrist
Harp	Shell
Harrell of Bastrop	Skiles

Smith of Frio	Vale
Smith of Hopkins	Vint
Smith	Voigt
of Matagorda	Waggoner
Spencer	Weldon
Stinson	Wells
Stoll	Westbrook
Talbert	White
Tarwater	Wilson
Taylor	Winfree
Tennant	Wood
Thornberry	Worley
Thornton	Wright
Turner	

Present—Not Voting

Allen

Absent

Cauthorn	Hartzog
Fielden	Howard
Harper	Kerr

Absent—Excused

Anderson	Keith
Bond	Little
Dean	

HOUSE BILL NO. 20 ON PASSAGE TO ENGROSSMENT

The Chair laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 20, A bill to be entitled "An Act to be known as the 'State Soil Conservation Act', reciting the legislative determination and declaration of policy; describing the consequence of soil erosion and the depletion of the fertility of the soil; reciting appropriate corrective methods; defining certain words and phrases used in this Act; establishing the State Soil Conservation Board; establishing five (5) State Districts from which members of the State Soil Conservation Board are to be elected; defining the powers and duties of said members acting through and for said State Soil Conservation Board, etc., and declaring an emergency."

The bill having heretofore been read second time.

Question—Shall House Bill No. 20 pass to engrossment?

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had

been read severally, the following enrolled bills:

H. B. No. 631, "An Act regulating the taking, catching and possessing of sand bass fish in the fresh waters of Denton County, Texas; providing that there shall be no closed season for the taking and catching of such fish; prescribing the bag limit and length limit thereof; regulating the kind of bait which may be used for the catching of such fish during certain months; prescribing penalties for any violation hereof; and defining the intent of this law, and declaring an emergency."

S. B. No. 96, "An Act amending Article 2350 of the Revised Statutes of the State of Texas, providing for the compensation of County Commissioners in any county where the population is less than 20,000 inhabitants and which has a tax valuation of not less than \$17,000,000 and not exceeding \$25,000,000, according to the last approved tax roll and with a total area of less than 950 square miles and not exceeding an area of 980 square miles, and declaring an emergency."

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 75, to the Committee on Highways and Motor Traffic.

Senate Bill No. 78, to the Committee on State Eleemosynary and Reformatory Institutions.

Senate Bill No. 206, to the Committee on Revenue and Taxation.

ADJOURNMENT

Mr. Goodman moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Ragsdale moved that the House recess until 2:30 o'clock p. m., today.

The motion of Mr. Goodman prevailed, and the House, accordingly, at 12:25 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Municipal and Private Corporations: Senate Bill No. 129.

Federal Relations: House Bill No. 653.

Common Carriers: House Bills Nos. 55 and 237.

Constitutional Amendments: House Joint Resolutions Nos. 16 and 21.

School Districts: House Bill No. 830.

Conservation and Reclamation: House Bills Nos. 594, 609 and Senate Bill No. 154.

Criminal Jurisprudence: House Bills Nos. 128, 218, 515, 608, 627, 629, 769 and 793.

Counties: House Bills Nos. 202, 429, 468, 674 and 817.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, March 7, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 54, Authorizing the State Highway Department of Texas to loan to the Ganado Independent School District certain discarded wire for fencing purposes.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 11, A bill to be entitled "An Act appropriating the sum of One Million Ninety-five Thousand (\$1,095,000.00) Dollars as a supplement to the equalization appropriation for the biennium as passed by the Forty-fifth Legislature, provided no school shall benefit hereunder that has paid its public funds to any person for securing legislative aid; providing the funds herein appro-

prorated are to be expended in accordance with the provisions of this Act; providing the funds herein appropriated are to be prorated on percentage basis to those schools having had payments made on a percentage basis, to make the grants of teacher's salaries, of high school tuition, and of transportation, and of vocational aid, each as nearly as possible one hundred (100%) per cent; providing no school shall receive reimbursement which was not approved by payment at the end of the 1937-38 fiscal year; providing a penalty for violating the provisions of this Act; setting aside the sum of Nine Hundred and Fifty-five Thousand (\$955,000.00) Dollars for salary aid, One Hundred and Five Thousand (\$105,000.00) Dollars for transportation, Thirty-five Thousand (\$35,000.00) Dollars for high school tuition, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WELDON, Vice-Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 631, "An Act regulating the taking, catching and possessing of sand bass fish in the fresh waters of Denton County, Texas; providing that there shall be no closed season for the taking and catching of such fish; prescribing the bag limit and length limit thereof; regulating the kind of bait which may be used for the catching of such fish during certain months; prescribing penalties for any violation hereof; and defining the intent of this law, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

OLSEN, Vice-Chairman.

SENT TO THE GOVERNOR

March 7, 1939

House Bill No. 631.

THIRTY-FOURTH DAY

(Wednesday, March 8, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. Homer Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gordon, Mrs.
Allen	Hale
Allison	Hamilton
Alsup	Hankamer
Anderson	Hardeman
Bailey	Hardin
Baker	Harp
of Fort Bend	Harper
Baker of Grayson	Harrell of Bastrop
Bell	Harrell of Lamar
Blankenship	Harris
Boyd	Hartzog
Boyer	Heflin
Bradbury	Howard
Bradford	Howington
Bray	Hunt
Bridgers	Isaacks
Broadfoot	Johnson of Ellis
Brown of Cherokee	Johnson of Tarrant
Brown	Keith
of Nacogdoches	Kennedy
Bundy	Kern
Burkett	Kerr
Burney	Kersey
Cauthorn	Kinard
Celaya	King
Chambers	Langdon
Clark	Lehman
Cleveland	Leonard
Cockrell	Leyendecker
Coleman	Lock
Colquitt	Loggins
Colson, Mrs.	London
Cornett	Mays
Corry	McAlister
Crossley	McDaniel
Daniel	McDonald
Davis of Jasper	McFarland
Davis of Upshur	McMurry
Derden	McNamara
Dickison	Mohrmann
Dickson	Monkhouse
Donaghey	Montgomery
Dowell	Morris
Dwyer	Newell
Faulkner	Nicholson
Felty	Oliver
Ferguson	Olsen
Fielden	Pace
Fuchs	Petsch
Galbreath	Pevehouse
Gilmer	Piner
Goodman	Pope